

# EXHIBIT 2



U.S. Department of Justice  
United States Attorney  
District of New Jersey

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William E. Fitzpatrick  
Acting United States Attorney

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October 18, 2017

**VIA EMAIL AND FEDEX**

Kevin H. Marino, Esq.  
Marino, Tortorella & Boyle, P.C.  
437 Southern Boulevard  
Chatham, New Jersey 07928-1488

Re: Gilmore & Monahan, P.A. Attorney Subpoenas

Dear Mr. Marino:

Consistent with our conversations on October 13 and 16, 2017, I have enclosed copies of 12 grand jury subpoenas for employees of Gilmore & Monahan, P.A. Pursuant to our conversations on October 13 and October 16, 2017, you have agreed to accept service of these subpoenas. We have previously discussed that your representation of Mr. Gilmore on the one hand and your representation of the individual employees of Gilmore & Monahan named in these subpoenas poses a conflict. As we communicated to you, by serving these grand jury subpoenas on you, the Government does not concede that a conflict is absent or that such a conflict can be waived. This Office is aware that your position remains that a conflict does not exist or that any conflict that may exist could be waived.

The subpoenas call for testimony on November 9 and 30 and December 7 and 14. During our October 16, 2017 conversation, you advised that you may have scheduling issues on certain days in November. If any of these specific days cause a scheduling problem, please advise by October 25, 2017 so that scheduling arrangements can be discussed. Otherwise, this Office will assume that these dates will remain final.

Very truly yours,

WILLIAM E. FITZPATRICK  
Acting United States Attorney

*Matthew Skahill/jgs.*

By: MATTHEW J. SKAHILL  
JIHEE SUH  
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Enclosure